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Situated

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Attorneys For Defendants
COMCAST OF CALIFORNIA/COLORADO/WASHINGTON I, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MATTHEW JOHNSON, On Behalf Of Himself
And All Others Similarly Situated,

Plaintiff,

vs.

COMCAST OF CALIFORNIA/
COLORADO/WASHINGTON I, INC.

Defendant.

CIVIL ACTION NO. 3:10-CV-04147 JSW

**JOINT STATUS UPDATE OF RELATED
STATE COURT LITIGATION**

Courtroom: 11 – 19th Floor
Judge: Jeffrey S. White

Pursuant to this Court's January 6, 2011 Order granting Defendant Comcast of California/Colorado/Washington I, Inc.'s ("Comcast" or "Defendant") Motion to Stay, Plaintiff Matthew Johnson ("Plaintiff") and Comcast hereby submit the following Joint Status Update Regarding the Related State Court Litigation, which is based upon the representations of Defendant regarding the state court proceedings.

STATUS OF STATE COURT LITIGATION

The matter of *Fayerweather v. Comcast Corporation and Comcast of Contra Costa, Inc.*, currently pending in the Superior Court of California in and for Contra Costa County as Case No. C-08-01470, continues to move towards trial. The opt-out period for the class ended on June 27, 2011. At the last case management conference on November 17, 2011, the *Fayerweather* Court issued an order to show cause why decertification should not be granted (the "Order to Show Cause"). The briefing schedule on the Order to Show Cause was triggered by the April 12, 2012 publication of the California Supreme Court's opinion in the seminal case, *Brinker Restaurant Corp. v. Superior Court*.

The parties completed briefing on the Order to Show Cause as of September 17, 2012. A hearing on the Order to Show Cause is currently scheduled for October 26, 2012. Should Comcast prevail on the Order to Show Cause, the *Fayerweather* Court will decertify the case.

No trial date has been set in the matter.

Dated: October 17, 2012

SHEPHERD, FINKELMAN, MILLER &
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/s/

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ATTESTATION PURSUANT TO LOCAL RULE

I, Jennifer M. Martinez, am the ECF User whose identification and password are being used to file the Joint Status Update of Related State Court Litigation. In compliance with local rule, I hereby attest that each of the signatories above has concurred in this filing.

Dated: October 17, 2012

WILSON SONSINI GOODRICH & ROSATI
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By: /s/

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